

ATTACHMENT - REMARKS

Claims 1-23 are pending in the present application. By this Amendment, Applicant has amended claim 1 and added new claims 21-23. Applicant respectfully submits that the present application is in condition for allowance based on the discussion which follows.

Claims 1-3, 5-8, 11-14, 16, 17, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,752,424 (hereinafter "Rosene"). In the rejection, it was alleged that the C-ring 80 of Rosene is equivalent to the claimed elastic washer, alleging that the C-ring 80 functions as an elastic element. Further, it was alleged that the C-ring holds element/ball 55 in engagement with a punching tool, stating "C-ring urges the locking element 70 to a locked position which forces the bearing 55 in contact with the surface 96 of the tool."

Contrary to the rejection, the C-ring 81 does not urge locking element 70 to a locked position which forces the bearing 55 in contact with surface 96 of the tool. Rosene, column 5, lines 58-64 clearly disclose

The platform 74 is aligned with the hole 60 which urges the bearing 55 into contact with the retaining surface 96 of the tool piece, thereby locking the tool piece 90 to the punch body 20. In the locked position, the pin 81 is aligned with the depression 65 to prevent rotation between the moveable locking element 70 and the fixed locking element 40, the pin and dimple functioning as a detent mechanism.

Accordingly, C-ring 81 does not urge the locking element 70 to a locked position, and thus does not force the bearings 55 in contact with the surface 96. Instead, the C-ring 81 merely prevents rotation between the movable locking element 70 and the fixed locking element 40.

In order to further distinguish the claimed punching tool from Rosene, by this Amendment, Applicant has amended claim 1 to recite that the elastic washer is in contact with the holding elements. As now amended, the holding elements are maintained in engagement with the annular groove by means of an elastic washer, where the elastic washer is in contact with the holding elements. Applicant respectfully submits that Rosene fails to anticipate the claimed elastic washer, as the C-ring of Rosene is clearly not in any way directly in contact with the holding element 55 (see Rosene, column 5, lines 58-60 and Figure 12A). Moreover, from the full description of Rosene, the use of the C-ring is merely a locking element and does not engage the holding elements. Further, Figures 12A and 13A clearly show that the C-ring 80 in no way engages the holding elements 55. Therefore, Rosene fails to disclose or in any way anticipate the claimed elastic washer.

Based on the foregoing, Applicant respectfully submits that claims 1-3, 5-8, 11-14, 16, 17, 19 and 20 are not obvious from Rosene under 35 U.S.C. § 103(a) and, therefore, respectfully request that the rejection be withdrawn.

Finally, in the Office Action, claims 4, 9 and 15 were indicated as being allowable if rewritten in independent form, including all of the limitations of the base and any intervening claims. By this Amendment, Applicant has added new independent claims 21-23, corresponding to what Applicant believes to be the allowable subject matter of claims 4, 9 and 15, respectively. For example, claim 21 recites that the elastic washer is seated in a further annular groove located in the circumferential surface of the die plunger, as recited in allowable claim 4. Further, claim 22 recites that the punching die has a punch die longitudinal groove into which a transverse pin can be inserted, as


recited in claim 9. Finally, claim 23 recites that the elastic washer is seated in a further annular groove located in the circumferential surface of the die plunger and that the annular groove crosses the central longitudinal axis of the transverse bores, as recited in claim 15. Accordingly, Applicant respectfully submits that claims 21-23 are allowable, as indicated in the final Office Action.

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance.

Respectfully submitted,

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